

Entered - 05/19/00 - sb
CL00L0282 - DIANNE C. MITCHELL

CLAIM OF: MELISSA A. F. ADAMS
490 Hascall Road, NW
Atlanta, Georgia 30309

For damages alleged to have been sustained as a result
of a vehicular accident on April 16, 2000 at the Bitsy
Grant Tennis Center parking lot.

BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of
Atlanta that the action of the Department of Law be
approved in authorizing payment to MELISSA A. F.
ADAMS the sum of \$1,000.00 in full settlement and
satisfaction of all claims, past, present and future, of
every kind and character for damages alleged to have
been sustained as a result of a vehicular accident on
April 16, 2000 at the Bitsy Grant Tennis Center
parking lot as is more particularly set forth in the
within claim; said sum taken from and charged to
account LA01/529017/T31001, Settlement of Suits and
Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

ADOPTED BY

JUL 05 2000

COUNCIL

00-R-0911

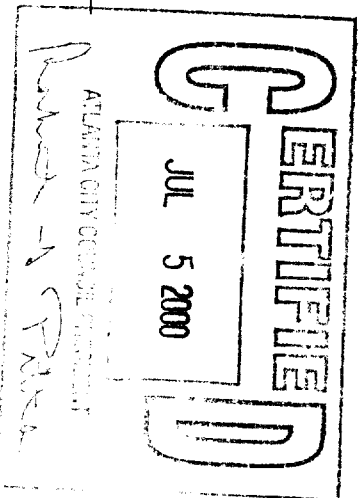
FAVORABLE REPORT

COM. *Public Safety*

DATE 6/27/00

CHM. *C. T. May Jr*

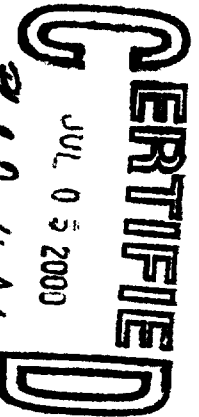
W. Lee
W. Lee
W. Lee



APPROVED

JUL 14 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW



Paul Douglas Adams
MUNICIPAL CLERK



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

00-R-0911

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Melissa A. F. Adams** in the sum of **\$1000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a **vehicular accident on April 16, 2000 at the Bitsy Grant Tennis Center parking lot** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughen Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
APPROVED by the Mayor**

**JULY 05, 2000
JULY 13, 2000**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0282

Date: June 12, 2000

Claimant /Victim MELISSA A. F. ADAMS
BY: (Atty) (Ins. Co.) _____
Address: 490 Hascall Road, NW, Atlanta, Georgia 30309
Subrogation: _____ Claim for Property damage \$ 2,526.85 Bodily Injury \$ _____
Date of Notice: 05/08/00 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 04/16/00 Place: Bitsy Grant Tennis Center parking lot
Department Parks, Recreation and Cultural Affairs Division: Recreation
Employee involved Michael Charles Bernard Disciplinary Action: _____

NATURE OF CLAIM: The driver of the City vehicle struck the claimant's vehicle as he attempted to drive between the claimant's parked vehicle and another parked vehicle.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police X Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____


BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,000.00 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 7-6-00
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

MAY 19

RE: CLAIM FOR DAMAGES

Today's Date: 5/5/00

ENTERED - 5-19-00 - SB
00L0282 - DIANNE MITCHELL

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 2,526.85 property and/or \$ 392.65 ^{vehicle damage} bodily injury for which I contend the City is liable.

1. Date of incident: 4-16-00 (month/day/ year) 2. Time of Incident: Between 1pm + 4pm 3. Police called: X Yes No
4. Location of incident (including street address): Bitsy Grant Tennis Center lower parking lot
5. Name of your insurance company: State Farm Policy No. 9042139-A10-11E
6. State what and how incident occurred: My BMW 325i Convertible was properly parked in the parking lot beside another properly parked car. A Bitsy Grant employee (allegedly Michael Charles Bernard) attempted to drive a Cushman maintenance vehicle between my car and the other car. He became stuck between the 2 cars and repeatedly moved forward + in reverse in an attempt to drive through. He damaged
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION! ^{driver's side of my car with the Cushman}
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
- Your vehicle: Bmw 325iC 1995 Melissa A.F. Adams
(Make) (Year) (Tag Number) (Driver's Name)
- City vehicle: Cushman Michael Charles Bernard Dept of Parks + Recreation
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: Jo Denney Carrollton, Ga 770-834-3919
(Name) (Address) (Telephone Number)
10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Melissa A.F. Adams
Signature of Claimant

Melissa A.F. Adams
(Print Claimant's Name)

490 Hascall Rd NW
(Address)

Atlanta, Ga 30309
(City, State and Zip Code)

404.875.9993x223 404.892.2996
(Work Number) (Home Number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0282

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND AND NO/100
 DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to Michael Charles Bernard, from any
and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature
for or on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident
which occurred on or about the 16th day of April, 2000,
at or near the Bitsy Grant Tennis Center parking lot

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this 9th day of June, 2000.

Melissa A. F. Adams (LS)
MELISSA A. F. ADAMS

The above release was read and explained to, and signed by the said _____

_____ in our presence on the date above written.

Heather E. Ross
Monica Finn
Witnesses

00- R -0911

RCS# 2057
7/05/00
1:38 PM

Atlanta City Council

Regular Session

Consent Agenda pgs. 1-13

Adopt

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

NV McCarty
Y Starnes
Y Bond
B Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
B Emmons
B Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-0982
00-O-0996
00-R-0954
00-R-0981
00-R-0999

07/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
<ol style="list-style-type: none"> 1. 00-O-0882 2. 00-O-0815 3. 00-O-0986 4. 00-O-0987 5. 00-O-0988 6. 00-O-1002 7. 00-O-0574 8. 00-O-0972 9. 00-O-0818 10. 00-R-0990 11. 00-R-0992 12. 00-R-0993 13. 00-R-0885 14. 00-R-0884 15. 00-R-0883 16. 00-R-0880 17. 00-R-0814 18. 00-R-0957 19. 00-R-0961 20. 00-R-0998 21. 00-R-0887 22. 00-R-0888 23. 00-R-0889 24. 00-R-0997 25. 00-R-0892 26. 00-R-0955 27. 00-R-0984 28. 00-R-1000 29. 00-R-0908 30. 00-R-0909 31. 00-R-0910 32. 00-R-0911 33. 00-R-0912 34. 00-R-0913 35. 00-R-0944 36. 00-R-0945 37. 00-R-0946 	<ol style="list-style-type: none"> 38. 00-R-0914 39. 00-R-0915 40. 00-R-0916 41. 00-R-0917 42. 00-R-0918 43. 00-R-0919 44. 00-R-0920 45. 00-R-0921 46. 00-R-0922 47. 00-R-0923 48. 00-R-0924 49. 00-R-0925 50. 00-R-0926 51. 00-R-0927 52. 00-R-0928 53. 00-R-0929 54. 00-R-0930 55. 00-R-0931 56. 00-R-0932 57. 00-R-0933 58. 00-R-0934 59. 00-R-0935 60. 00-R-0936 61. 00-R-0937 62. 00-R-0938 63. 00-R-0939 64. 00-R-0940 65. 00-R-0941 66. 00-R-0942 67. 00-R-0943 68. 00-R-0947 69. 00-R-0948 70. 00-R-0949 71. 00-R-0950 72. 00-R-0951